

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, January 25, 2017

ACTION ITEMS:

1. Minutes of January 11, 2017, Worksession.

Action: (a) Item No. 2: Petition of Robert Englehart (Administrative Appeal). A correction was made to the Board's vote to indicate that Board Member Goldensohn voted to deny the Emergency Motion to Re-open the Record.

Action: (b) Approved the Minutes with the necessary correction, (JHP/ESR, 5-0).

2. **CBA-1999, CBA-1999-A, CBA-1999-B, Petition of Star Enterprise** (Automobile Filling Station). Letter to the Board from Nancy P. Regelin, Esquire, requesting transfer of this special exception.

Action: Granted the transfer of this special exception, (SBB/BG, 5-0).

3. **CBA-2696, CBA-2167, CBA-2167-A, CBA-2167-B, Petition of Shell Oil Company** (Automobile Filling Station). Letter to the Board from Nancy P. Regelin, Esquire, requesting transfer of this special exception.

Action: Granted the transfer of this special exception, (JHP/ESR, 5-0).

- 4(a) **S-274-D, S-577, Petition of Suburban Hospital** (Hospital). Circuit Court Order, entered November 29, 2016, reversing the Board's May 17, 2016 Resolution to Re-Open the Record and Hold Hearing. (This decision was not appealed to the Court of Special Appeals.)

Action: Re-opened the record to receive the Circuit Court Order reversing the Board's May 17, 2016 Resolution to Re-Open the Record and Hold Hearing, (JHP/BG, 5-0).

- 4(b) **S-274-D, S-577, Petition of Suburban Hospital** (Hospital). Email to the Board and Department of Permitting Services from Kate Stern, individually and on behalf of the Huntington Terrace Citizens' Association, supplementing the June 14, 2016, complaint regarding the special exception use.

Action: Re-opened the record to receive Ms. Stern's email, (ESR/SBB, 5-0).

5. **S-710, Petition of Shell Oil Company** (Automobile Filling Station). Letter to the Board from Nancy P. Regelin, Esquire, requesting transfer of this special exception.

Action: Granted the transfer of this special exception, (ESR/JHP, 5-0).

6. **S-1443, Petition of Shell Oil Company** (Automobile Filling Station). Letter to the Board from Nancy P. Regelin, Esquire, requesting transfer of this special exception.

Action: Granted the transfer of this special exception, (JHP/SBB, 5-0).

7. **CU 15-05, Petition of Artis Senior Living, LLC** (Residential Care Facility). Letter to the Board from Erin E. Girard, Esquire, requesting an administrative modification of this conditional use. [Large Exhibits: conditional use site plan; right-of-way sign and drawings; logo and elevations of the sign].

Action: Granted administrative modification of this special exception, (JHP/BG, 5-0).

PENDING ITEMS:

8. **CBA-1730, Petition of Stanley Rakusin and Arthur P. Becker** (Apartment Hotel). Letter to the Board from Robert R. Harris, Esquire, requesting reconsideration of the Board's revocation of special exception CBA-1730, and asking that the special exception be reinstated. Item deferred (consensus). [W/S: 4/27/16].
9. **S-2250, S-1211, S-1211-B, Petition of KCJ Properties, LLC, and O.G. Limited Partnership** (Private Educational Institution). Letter to the Board from Joyce Saadi, requesting reconsideration of the Board's decision dated July 29, 2016, which modified S-2250 and revoked S-1211 and S-1211-B, or in the alternative, a hearing. Item deferred (consensus). [W/S: 9/7/16].

Board Members

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